

Article - Transportation

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§21–1128.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) “Dirt bike” means any motorcycle or similar vehicle that is not required to be registered under Title 13 of this article.

(ii) “Dirt bike” includes:

1. A motorized minibike, as defined in § 11–134.4 of this article; and

2. An all–terrain vehicle with either 3 or 4 wheels.

(iii) “Dirt bike” does not include:

1. A moped, as defined in § 11–134.1 of this article; or

2. A motor scooter, as defined in § 11–134.5 of this article.

(3) “Service station” means a place of business where motor fuel is sold and delivered into the fuel supply tanks of motor vehicles.

(b) (1) This section applies only in Baltimore City.

(2) This section does not apply to an owner or employee of a service station who is subject to the provisions of the Baltimore City Code prohibiting the selling, transferring, or dispensing of motor fuel for delivery into a dirt bike.

(c) A person may not dispense motor fuel into a dirt bike from a retail pump at a service station.

(d) (1) A person convicted of a violation of this section is subject to imprisonment not exceeding 90 days or a fine not exceeding \$1,000 or both.

(2) (i) Subject to subparagraph (ii) of this paragraph and notwithstanding any other law, if a minor is the defendant or child respondent in a proceeding under this section, the court may order that a fine imposed under this subsection be paid by:

1. The minor;
2. A parent or guardian of the minor; or
3. Both the minor and a parent or guardian of the minor.

(ii) 1. A court may not order a parent or guardian of a minor to pay a fine under this paragraph unless the parent or guardian has been given a reasonable opportunity to be heard and to present evidence.

2. A hearing under this subparagraph may be held as part of the sentencing or disposition hearing.

(e) (1) If a person is convicted of a violation of this section, the court shall notify the Administration of the conviction.

(2) Subject to the provisions of paragraph (3) of this subsection, on receipt of the notice described under paragraph (1) of this subsection the Administration:

(i) For a first violation, may suspend the person's driver's license for up to 30 days; and

(ii) For a second or subsequent violation, shall suspend the person's driver's license for 30 days.

(3) Subject to the provisions of Title 12, Subtitle 2 of this article, a licensee may request a hearing on a suspension under this section.

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